

AMENDED IN SENATE JUNE 30, 2009

AMENDED IN ASSEMBLY MAY 11, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 623

**Introduced by Assembly Member Emmerson
(Coauthor: Assembly Member Jones)**

February 25, 2009

An act to amend Section 5600 of, and to add Section 5600.05 to, the Business and Professions Code, relating to architects.

LEGISLATIVE COUNSEL'S DIGEST

AB 623, as amended, Emmerson. Architects: continuing education.

Existing law provides for the licensure and regulation of persons engaged in the practice of architecture by the California Architects Board. Existing law requires a person licensed to practice architecture *to complete*, as a condition of license renewal, ~~to complete~~ coursework regarding disability access requirements, as specified, and to certify that completion *and to provide specified documentation* to the board.

This bill would authorize the board to audit the records of a licensee to verify the completion of the coursework and would require a license to provide the specified documentation only upon that audit. The bill would exempt a licensee from these coursework requirements for the licensee's first license renewal in certain circumstances.

The bill would *also* authorize the board to require a licensee, as a condition of license renewal, to certify to the board that he or she has completed continuing education in, or relevant to, the practice of architecture in subjects relating to health, safety, and welfare. ~~The If~~

the board imposes that requirement, the bill would require the board to adopt regulations establishing requirements relating to continuing education. The bill and would authorize the board to audit the records of a licensee to verify completion of any continuing education requirements.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 5600 of the Business and Professions*
2 *Code is amended to read:*

3 5600. (a) All licenses issued or renewed under this chapter
4 shall expire at 12 midnight on the last day of the birth month of
5 the licenseholder in each odd-numbered year following the issuance
6 or renewal of the license.

7 (b) To renew an unexpired license, the licenseholder shall,
8 before the time at which the license would otherwise expire, apply
9 for renewal on a form prescribed by the board and pay the renewal
10 fee prescribed by this chapter.

11 (c) The renewal form shall include a statement specifying
12 whether the licensee was convicted of a crime or disciplined by
13 another public agency during the preceding renewal period and
14 that the licensee's representations on the renewal form are true,
15 correct, and contain no material omissions of fact, to the best
16 knowledge and belief of the licensee.

17 ~~(d) (1) As a condition of license renewal, a licensee shall have~~
18 ~~completed coursework regarding disability access requirements~~
19 ~~pursuant to paragraphs (2) and (3). A licensee shall certify to the~~
20 ~~board, as a part of the license renewal process, that he or she has~~
21 ~~completed the required coursework prior to approval of his or her~~
22 ~~license renewal and shall provide documentation from the course~~
23 ~~provider that shall include the course title, subjects covered, name~~
24 ~~of provider and trainer or educator, date of completion, number~~
25 ~~of hours completed, and a statement about the trainer or educator's~~
26 ~~knowledge and experience background.~~

27 ~~(2) (A) For licenses renewed on and after July 1, 2009, and~~
28 ~~before January 1, 2010, a licensee shall have completed one hour~~
29 ~~of coursework.~~

1 ~~(B) For licenses renewed on and after January 1, 2010, and~~
2 ~~before January 1, 2011, a licensee shall have completed two and~~
3 ~~one-half hours of coursework.~~

4 ~~(C) For licenses renewed on and after January 1, 2011, a licensee~~
5 ~~shall have completed five hours of coursework within the previous~~
6 ~~two years.~~

7 ~~(3) Coursework regarding disability access requirements shall~~
8 ~~include information and practical guidance concerning~~
9 ~~requirements imposed by the Americans with Disabilities Act of~~
10 ~~1990 (Public Law 101-336; 42 U.S.C. Sec. 12101 et seq.), state~~
11 ~~laws that govern access to public facilities, and federal and state~~
12 ~~regulations adopted pursuant to those laws. Coursework provided~~
13 ~~pursuant to this paragraph shall be presented by trainers or~~
14 ~~educators with knowledge and expertise in these requirements.~~
15 ~~The board shall require that a licensee certify that he or she has~~
16 ~~satisfied the requirements of this subdivision as a condition of~~
17 ~~license renewal.~~

18 **SECTION 1.**

19 *SEC. 2.* Section 5600.05 is added to the Business and
20 Professions Code, to read:

21 5600.05. (a) *(1) As a condition of license renewal, a licensee*
22 *shall have completed coursework regarding disability access*
23 *requirements pursuant to paragraphs (2) and (3). A licensee shall*
24 *certify to the board, as a part of the license renewal process, that*
25 *he or she has completed the required coursework prior to approval*
26 *of his or her license renewal and shall, upon a board audit, provide*
27 *documentation to the board from the course provider that shall*
28 *include the course title, subjects covered, name of provider and*
29 *trainer or educator, date of completion, number of hours*
30 *completed, and a statement about the trainer or educator's*
31 *knowledge and experience background.*

32 *(2) (A) For licenses renewed on and after July 1, 2009, and*
33 *before January 1, 2010, a licensee shall have completed one hour*
34 *of coursework.*

35 *(B) For licenses renewed on and after January 1, 2010, and*
36 *before January 1, 2011, a licensee shall have completed two and*
37 *one-half hours of coursework.*

38 *(C) For licenses renewed on and after January 1, 2011, a*
39 *licensee shall have completed five hours of coursework within the*
40 *previous two years.*

(3) Coursework regarding disability access requirements shall include information and practical guidance concerning requirements imposed by the Americans with Disabilities Act of 1990 (Public Law 101-336; 42 U.S.C. Sec. 12101 et seq.), state laws that govern access to public facilities, and federal and state regulations adopted pursuant to those laws. Coursework provided pursuant to this paragraph shall be presented by trainers or educators with knowledge and expertise in these requirements.

(4) The board may audit the records of a licensee to verify the completion of the coursework requirements of this subdivision. A licensee shall maintain records of completion of the required coursework, containing the information specified in paragraph (1), for two years from the date of license renewal and shall make those records available to the board for auditing upon request.

(5) A licensee shall be exempt from the coursework requirements set forth in this subdivision for his or her first license renewal if his or her initial license is issued after January 1, 2010, and is renewed within one year of that initial issuance date.

(b) (1) If the board determines that the public health, safety, and welfare would be served by requiring all architects issued a license under this chapter to complete continuing education, it may require as a condition of license renewal that the licensee certifies to the board, on a form prescribed by the board, that he or she has completed continuing education in, or relevant to, the practice of architecture in subjects relating to health, safety, and welfare during the preceding two years, as determined by the board. The coursework in disability access requirements specified by ~~Section 5600~~ subdivision (a) shall be applied to the continuing education hours prescribed by the board.

~~(b) The board shall~~

(2) If the board requires continuing education pursuant to paragraph (1), the board shall first, by regulation, prescribe requirements relating to continuing education, including, but not limited to, the required courses and number of hours.

~~(c)~~

(3) The board may audit the records of a licensee to verify the completion of any continuing education requirements of this subdivision. A licensee shall maintain records of completion of required continuing education coursework for a minimum of two

- 1 years from the date of license renewal and shall make those records
- 2 available to the board for auditing upon request.

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